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STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
September 18, 2013

REPLY TO:

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Henderson, Nevada 89074
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CALL TO ORDER:

Administrative Law Judge Jonathan Andrews, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, September 18, 2013, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

ADMINISTRATIVE LAW JUDGE PRESENT:

Mr. Jonathan Andrews, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Richard Scotti, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on September 12, 2013, at Las Vegas City Hall, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: Jonathan Andrews, Esq.

1. DISCIPLINARY HEARING: (Continued from June 22, 2011, July 20, 2011, November 16, 2011, March 21, 2012, September 19, 2012, December 19, 2012, March 20, 2013)

SOUTHWEST STONE AND TILE, INC., License Nos. 46544, 46545

Licensee was present and represented by Tennille Pereira, Esq. at the hearing.

Administrative Law Judge Andrews ordered Respondent's Probation extended for Six (6) Months. Respondent shall provide a current "internal" financial statement with bank verification forms for all cash accounts that supports the license limits within six (6) months of the September 18, 2013 hearing. This matter was continued for six (6) months.

2. DISCIPLINARY HEARING:

ROAD WORK AHEAD, INC., License No. 73883

Licensee was present and represented by Todd Leventhal, Esq. at the hearing.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated August 28, 2013.

Administrative Law Judge Andrews found Respondent guilty of one (1) violation of violation of NRS 624.3013(5), as set forth in NRS 624.265(1) failure to establish good character. Respondent was assessed a fine of \$50.00 for the Second Cause of Action and investigative costs of \$2,341.00. The First and Third Causes of Action were dismissed. Fines and investigative costs are to be paid within thirty (30) days of the September 18, 2013 hearing, or license number 73883, Road Work Ahead, Inc. shall be suspended. License number 73883, Road Work Ahead, Inc. was suspended until Respondent removed Henry Walter Logan as the qualified individual on the license.

3. DISCIPLINARY HEARINGS:

AQUARIUS LANDSCAPE & SPRINKLER CO., INC., License No. 19009

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – The Board's Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's letter to the Board dated August 29, 2013.

Exhibit B – Respondent's letter to the Board dated September 17, 2013.

Administrative Law Judge Andrews found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license. Respondent was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$2,758.00. A fine was not assessed for the Third Cause of Action. The Second and Fourth Causes of Action were dismissed. The Respondent shall pay restitution to Quintin and Ronee Wallace in the amount of \$2,000.00. Fines, investigative costs and restitution are to be paid within sixty (60) days of the September 18, 2013 hearing, or license number 19009, Aquarius Landscape & Sprinkler Co., Inc. shall be suspended until paid.

4. DISCIPLINARY HEARINGS:

R & O CONSTRUCTION COMPANY, License Nos. 34039, 52357

R & O WESTERN STATES, INC., License Nos. 58243, 58244

The matter was vacated.

5. DISCIPLINARY HEARINGS:

RELIABUILT CONSTRUCTION COMPANY, LLC, License No. 39858

H. C. DEVELOPMENT, LLC, License No. 71064

Licensee was not present but was represented by David Mills, Operations Manager at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated July 12, 2013.

Exhibit B – Respondent's letter to the Board dated September 4, 2013.

Administrative Law Judge Andrews found Respondent Reliabuilt Construction Company, LLC guilty of one (1) violation of NRS 624.3014(2)(a) and (b) aiding or abetting an unlicensed person and conspiring with an unlicensed person to perform an unauthorized act. Respondent Reliabuilt Construction Company, LLC was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$1,803.00. The Second and Third Causes of Action were dismissed. Respondent Reliabuilt Construction Company, LLC was ordered to have its Certified Public Accountant provide written verification to the Board of payment of the note payable listed in the financial statement. The fine and investigative costs are to be paid and the letter from the CPA received within sixty (60) days of the September 18, 2013 hearing or license number 39858, Reliabuilt Construction Company, LLC shall be suspended. The Board accepted the voluntary surrender of license number 71064, H. C. Development, LLC.

6. DISCIPLINARY HEARINGS:

APEC CONSULTANTS, INC., dba FAB 5 CONSTRUCTION, License Nos. 75618, 68161

Licensee was present and represented by Wade Gochnour, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Documents received from Ellen Marciel of McCarran Airport on September 11, 2013.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated August 21, 2013.

Administrative Law Judge Andrews dismissed the Board's Complaint against license numbers 75618 and 68161, APEC Consultants, Inc., dba Fab 5 Construction.

7. DISCIPLINARY HEARINGS:

BIG TOWN MECHANICAL, LLC, License Nos. 3241B, 18435A, 74791, 76560

BIG TOWN MECHANICAL, LLC, dba BENJAMIN TANNER CONSTRUCTION, License No. 74451

BIG TOWN MECHANICAL SERVICE & MAINTENANCE CO., LLC, dba BIG TOWN SERVICE,
License Nos. 62318, 62321

Licensees were present and represented by Marc R. Bawden, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated August 20, 2013.

Administrative Law Judge Andrews found Respondents guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. A fine was not assessed for the First Cause of Action. Respondent Big Town Mechanical Service & Maintenance Co., LLC, dba Big Town Service was assessed investigative costs of \$2,292.00. Respondent Big Town Mechanical Service & Maintenance Co., LLC, dba Big Town Service was ordered to provide a current compiled financial statement with bank verification forms for all cash accounts that support the license limits within six (6) months of the September 18, 2013 hearing. If the financial statement fails to support the

license limits, the license limits shall be lowered to the amount that the financial statement supports. License numbers 62318 and 62321, Big Town Mechanical Service & Maintenance Co., LLC, dba Big Town Service were suspended. Investigative costs are to be paid prior to reactivation of license numbers 62318 and 62321, Big Town Mechanical Service & Maintenance Co., LLC, dba Big Town Service. The Board accepted the voluntary surrender of license numbers 3241B, 18435A, 74791 and 76560, Big Town Mechanical, LLC and license number 74451, Big Town Mechanical, LLC, dba Benjamin Tanner Construction.

ADJOURNMENT

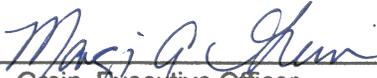
There being no further business to come before the Board, the meeting was adjourned by Administrative Law Judge Andrews at 4:23 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Jonathan Andrews, Esq., Administrative Law Judge